



CASE 4-31824B

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV268926224US

Express Mail Label Number

May 21, 2003

Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

JOHN R. DALES

APPLICATION NO: 09/265,926

FILED: MARCH 11, 1999

FOR: PREPARATION OF PURINES

Art Unit: 1624

Examiner: M. Berch

**RECEIVED**

**MAY 27 2003**

**TECH CENTER 1600/2900**

MS Appeal Brief  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

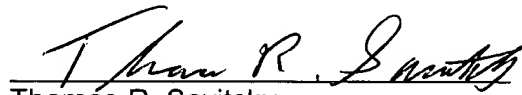
Sir:

The Board of Patent Appeals and Interferences mailed the above-identified Order on April 29, 2003. In the Order it is stated "There is no indication that the Appeal Brief fee has been received and/or applied. 37 CFR § 1.192."

Included herewith is a copy of a Transmittal Letter which accompanied the Appeal Brief and was mailed on October 22, 2001. The Transmittal Letter specifically authorized charging the Appeal Brief fee to Deposit Account 19-0134 in the name of Novartis Corporation. Also included herewith is a copy of the postcard receipt stamped by the U.S.P.T.O. acknowledging receipt of the Appeal Brief and fee.

Respectfully submitted,

Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 430  
East Hanover, NJ 07936-1080  
(862) 778-7909

  
Thomas R. Savitsky  
Attorney for Applicant  
Reg. No. 31,661

Date: May 21, 2003



CASE 4-31824B

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL813100477US  
Express Mail Label Number

October 22, 2001  
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF  
JOHN R. DALES  
APPLICATION NO: 09/265,926  
FILED: MARCH 11, 1999  
FOR: PREPARATION OF PURINES

Art Unit: 1624  
Examiner: M. Berch

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

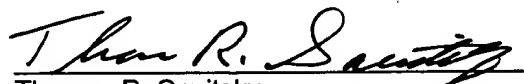
Sir:

Enclosed herewith are three copies of the Appeal Brief in the above-identified application.

- ☒ Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of \$320 for payment of the appeal fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

Respectfully submitted,

Novartis Corporation  
Patent and Trademark Dept.  
564 Morris Avenue  
Summit, NJ 07901-1027  
(908) 522-6765  
Date: October 22, 2001

  
Thomas R. Savitsky  
Attorney for Applicant  
Reg. No. 31,661

RECEIVED  
MAY 27 2003  
TECH CENTER 1600/2900

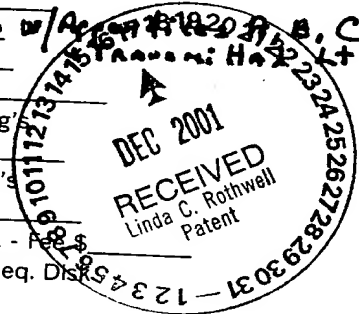
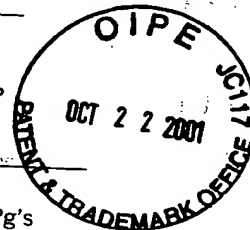


Case No. 4-31824B/SKB  
Application No. 09/265,926  
Mailing Date: 10-22-01  
Due Date: \_\_\_\_\_

Express Mail No.: E281310047745

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☐ Amendment/Response/Letter - Fee \$ \_\_\_\_\_  
☐ Appln. Filing Papers - Fee \$ \_\_\_\_\_  
    ☐ PCT National Stage  
    ☐ Provisional Application  
    ☐ CPA ☐ DIV ☐ CONT ☐ CIP  
    ☐ Specification \_\_\_\_\_ Pg's  
☐ Executed/Unexecuted Decl. - Fee \$ \_\_\_\_\_  
    ☐ Missing Parts/Missing Req.  
☐ Preliminary Amendment \_\_\_\_\_ Pg's  
☐ Claim of Priority ☐ Certified Copy(s)  
☐ Amendment After Final  
☐ Notice of Appeal - Fee \$ \_\_\_\_\_  
☒ Appeal Brief - Fee \$ 320 w/ Appeal #1820 H.B.C.  
☐ Issue Fee Payment \$ \_\_\_\_\_  
☐ Assignment Rec. Req. - Fee \$ \_\_\_\_\_  
☐ Formal Drawings \_\_\_\_\_ Pg's  
☐ IDS \_\_\_\_\_ Pg's - Fee \$ \_\_\_\_\_  
☐ PTO-1449 Form \_\_\_\_\_ Pg's  
☐ Pet. for Ext. of Time - Fee \$ \_\_\_\_\_  
☐ Pet. to Convert to Prov. Appln. - Fee \$ \_\_\_\_\_  
☐ Seq. Listings \_\_\_\_\_ Pg's/Seq. Disks  
☐ \_\_\_\_\_  
☐ \_\_\_\_\_



TRS  
Initials

82972/99A

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MAY 27 2003

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The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.



Paper No. 24348678



**UNITED STATES PATENT AND TRADEMARK OFFICE**

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Ex parte JOHN R.M. DALES

Application No. 09/265,926

**MAILED**

**APR 29 2003**

U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

This application was received at the Board of Patent Appeals and Interferences on April 3, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

There is no indication that the Appeal Brief fee has been received and/or applied. 37 CFR § 1.192.

Accordingly, it is

**ORDERED** that the application is returned to the Examiner for resolution of the above matter, and for such further action as may be appropriate.

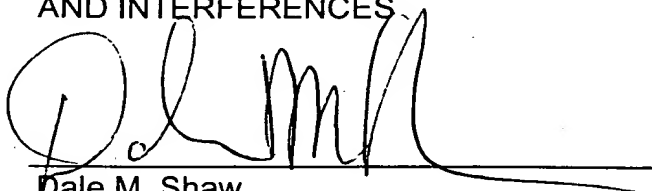
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TR5

Application No. 09/265,926

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

Dale M. Shaw  
Program and Resource Administrator  
(703) 308-9797

Application No. 09/265,926

Thomas Hoxie  
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One Health Plaza 430/2  
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dem  
RA03-0281